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Planned Unit Development

An outline of the most significant features
of the new Planned Unit Development
amendment to the Zoning Resolution
with
examples of design alternatives,
a model developer's submission
and
the text of relevant Zoning Resolution provisions

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CITY PLANNING COMMISSION

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In order to foster more attractive new development on predominantly vacant land in outlying parts of the City, the City Planning Commission drafted a planned unit development amendment to the Zoning Resolution.

An optional approach to community development, its provisions encourage more productive use of open space, the preservation of the best features of the natural environment such as shade trees and fresh-running streams, more varied and better design, increased economies to the builder and prospective homeowner, and greater safety.

While this amendment will be applicable in many parts of the City, its greatest potential will be in the development of the sections of Staten Island that are still mainly vacant. As we noted in our comprehensive planning report on Staten Island in June of 1966, this borough contains more than half the City's remaining vacant land. Accordingly, we reviewed the proposal with Borough President Robert T. Connor and have received his help and encouragement.

The amendment reflects our continuing concern to seek the best in town and country living for the residents of the City. It was enacted into law by the Board of Estimate on August 24, 1967.

We hope that the following guide and illustrations will explain the amendment's provisions clearly, and lead to its widespread use.

Donald H. Elliott
Chairman

May 1, 1968

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PUD/what it is

Planned Unit Development is a new way of designing residential neighborhoods in New York City that can provide a better environment for the people who live there, and produce more profits for the developer and builder.

In August 1967 the Board of Estimate adopted a City Planning Commission amendment extending the Zoning Resolution's large-scale provisions to cover low density residential areas. Under the new law the Planning Commission may waive technical requirements, such as yard regulations and height restrictions,

to permit dwellings to be built close together in clusters, leaving substantial land areas in a natural state. In addition, the Commission, with the approval of the Board of Estimate, can grant bonuses of extra floor area to developers in return for good site plans or the provision of common open space.

The Planned Unit Development regulations will be applicable in many parts of New York City, but will probably be most important for Staten Island, which contains more than half of the City's vacant land.

Some of the advantages for people living in a Planned Unit Development are:

- Larger houses for less money
- More choice of house types
- Preservation of natural features like ponds and trees
- Community recreation space
- Safe pedestrian ways and safer streets
- More conveniently located schools and shops

Some of the advantages for the developer and builder are:

- Less land used for streets
- More efficient utility runs
- Better drainage, less grading and site preparation
- More varied house types that can reach a wider market
- More dwelling units and bigger houses
- The ability to include shops and stores

The following outline explains the most significant provisions of the new regulations, and shows how these advantages can be obtained.

Regulations that can be modified: The City Planning Commission may authorize the following modifications to the zoning regulations, provided that the over-all plan is satisfactory to the Commission:

Bulk regulations:

- a. Floor area and dwelling units, rooms, or rooming units may be distributed without regard for zoning lot lines.
- b. Open space may be distributed without regard to zoning lot lines.
- c. Lot sizes may be reduced.
- d. Yard regulations may be waived within a development.
- e. Height regulations may be waived within a development, provided that regulations governing the spacing of buildings are satisfied.

Use regulations:

- a. Convenience shopping, restaurants and certain other types of consumer services may be permitted within residential areas, provided that the Commission is satisfied that they represent an amenity, and provided that the total area devoted to such uses is no more than 2 per cent of the over-all floor area permitted in the development.
- b. Outdoor swimming pools may be provided in the common open space, provided that their use is restricted to residents of the development and that the pool is located at least 100 feet from the development's boundary except that it can be located not less than 50 feet from a boundary street if it is adequately screened from the street.

Regulations that can be modified by Special Permit: The Planning Commission, subject to the approval of the Board of Estimate, may grant Special Permits providing for minor variations in the requirements for front or rear yards, and in the regulations governing the height of buildings, along the boundaries of a Planned Unit Development.

Bonuses given by Special Permit: The Planning Commission, subject to the approval of the Board of Estimate, may grant bonuses of additional floor space to the developer for a good site plan with *or* without the provision of common open space. The bonus for a good site plan is applicable in R 1-2, R 2, R 3, and R 4 Districts and can be granted within the following limits:

1. The required open space may be reduced by 10 per cent.
2. The required lot area per room, or the lot area required per dwelling unit, may be reduced by 5 per cent.
3. The allowable floor area may be increased by 7.5 per cent.

The bonus for common open space is applicable in R 3 and R 4 Districts, and can be granted within the following limits:

1. The required open space ratio may be reduced by 20 per cent.
2. The required lot area per room, or the lot area required per dwelling, may be reduced by 10 per cent.
3. The allowable floor area ratio may be increased by 15 per cent provided that twenty per cent of the total open space (or one acre, whichever is greater) be given over to common open space, and provided that the site design would have qualified for the good site plan bonus.

...and how it works

Larger houses for less money

A large portion of the price paid for a house in New York City really goes to pay for land. Land prices within the City limits can be as much as 10 times as high as they would be in a suburb. Since Planned Unit Development permits the builder to offer houses on smaller building lots, a house in a development where this amendment has been used could cost substantially less than a comparable house on a larger lot. At the same time, the easing of yard restrictions in Planned Unit Development permits the builder to construct a larger house than is now permitted on a conventional lot; so that a larger house, for less money, is a very real possibility under Planned Unit Development.

More choice of house types

Where conventional development tends to produce street after street of the same type of dwelling, Planned Unit Development encourages town-houses, garden apartments, detached houses, and atrium houses, all of varying sizes, to be built in the same development. This means more variety of family size and income level in any given area, and allows families to move from one type and size of house to another without leaving their old neighborhood.

Preservation of natural features

Instead of developing a whole section of the City with paved streets and narrow, fenced-in yards, Planned Unit Development permits as much as 30 per cent of the land area to remain in its natural state, while housing the same number of families as conventional development, sometimes even more. This means that natural features like ponds and rock out-croppings, as well as trees and streams, can be preserved near the places where people live.

At the same time, all houses continue to have their own private open space, which may well be larger than

conventional backyards. The land saved for open space is land that would ordinarily have been devoted to unusable side yards and unnecessary streets.

Community recreation space

Open space created by Planned Unit Development can be used for recreation areas like playing fields and swimming pools and, there can easily be extra open space for schools and community facilities. The new law allows such facilities to be designed as an integral part of the residential neighborhood, instead of being in their own separate locations.

Safe pedestrian ways and safer streets

The community open space of Planned Unit Development can also be used to create pedestrian greenways connecting houses with schools and larger open areas. Such greenways can be designed so that they cross few or no streets, providing safe routes for children to walk to school, or playspace.

The intersection of two conventional "gridiron" streets creates as many as 16 potential places where a collision can take place. The neighborhood loop streets possible in Planned Unit Development can have as few as three potential collision points. In addition, the clear distinction between through traffic streets and neighborhood streets made possible by Planned Unit Development provides a generally safer traffic pattern, with fewer cars, moving more slowly, in the areas where people live.

More convenience to schools and shops

In conventionally zoned areas, shops can only be placed in sections with commercial zoning. Planned Unit Development rules permit small groups of shops and restaurants in the middle of residential areas, giving the kind of convenience often found in the center of cities, but seldom in outlying residential districts.

In addition, by placing a school adjacent to community open space, it is likely to be far more centrally located than would be possible under conventional conditions.

The same features that benefit the resident of a Planned Unit Development are also likely to be of great value to the developer and builder:

Fewer and shorter streets

Developers in large low-density tracts generally are responsible for building the streets themselves; therefore the fewer and shorter streets needed for Planned Unit Development mean a substantial saving for the developer. There may be as much as 30 per cent less street area under Planned Unit Development, which not only means less development cost, but more valuable land available for housing.

More efficient utility runs

The developer in a large tract normally must also build storm drains and the sewers for his development. Because of the more compact street system possible in Planned Unit Development, the developer is likely to realize substantial savings in providing utilities.

Better drainage, less site preparation

Conventional grid-iron street systems often work against the natural contours of the land, creating steep streets to which it is hard to relate houses, and low-lying areas susceptible to flooding. Planned Unit Development, by providing streets that are only for local vehicles, allows the builder to develop those parts of

his site most suitable for housing, leaving hills and flood plain areas open, as part of his community open space. By not having to meet customary requirements for through and connecting streets, the builder frequently can realize a significant saving, as well as ending up with a far more satisfactory development.

More sales flexibility in house types

Market conditions often change while an area is being developed. Mortgage money may become easier or harder to come by, local conditions may cause a sudden influx of a new kind of house buyer. Conventional zoning and street maps tend to lock the builder into a single type of house with a very narrow variation in price range. The variety of house types possible under Planned Unit Development allows the builder to appeal to a wider segment of the potential house market, and to switch from detached houses to garden apartments, for example, as market conditions change.

More dwelling units and bigger houses

The bonus provisions of the Planned Unit Development regulations can give the builder significantly more houses or apartments on a given piece of land, in addition to the extra buildings made possible by savings on the amount of land devoted to streets. The relaxation of yard requirements also permit bigger houses than are possible under conventional zoning, further enlarging the builder's flexibility in responding to the housing market.

Ability to include shops and stores

Finally, the developer and builder benefits from the opportunity provided by Planned Unit Development to devote as much as 2 per cent of the floor-area he builds to space for shops and restaurants. Such commercial space has a high rental value, and is not usually allowed in a residential development.

Design principles for PUD

Streets

Street patterns are the most important element in establishing the character of a residential community. Most existing and mapped streets are based upon only two guiding principles: provision of maximum frontage for traditional lot sizes and maximum flow of all types of traffic on every street. The first step in dispelling the monotony caused by this system — particularly in low density residential areas — is the establishment of a hierarchy of street types based on usage. Aside from expressways and highways, this hierarchy consists of three basic street types: major collector streets, local collector streets, and local residential streets. Major collector streets are major arteries and inter-neighborhood streets; local collector streets pick up traffic from local residential streets in one neighborhood; and local residential streets are solely for the residential area served. Recommendations for specific characteristics of these three street types are:

Major collector streets:

Traffic characteristics: all types of vehicles, through traffic.

Pedestrian safety: limitation of pedestrian cross-over to a minimum of controlled points.

Length: unlimited.

Width: 60' - 100'.

Grades: 8 per cent maximum, with other technical requirements conforming to the policies of the Department of Highways.

Local collector streets:

Traffic characteristics: primarily private cars and ser-

vice vehicles, through traffic discouraged.

Pedestrian safety: increased through limitation of traffic, but cross-over points should be designated.

Length: Should be interrupted by intersections with major collector streets; intersections should be T-shaped in order to prevent local traffic from crossing a major collector.

Width: 50' - 60'.

Grades: 10 per cent maximum, with other technical requirements conforming to the policies of the Department of Highways.

Local residential streets:

Traffic characteristics: private cars, except that service and emergency vehicles are permitted.

Pedestrian safety: problem minimized through restriction of traffic to residents of specific residential grouping; where possible a pedestrian should be able to pass beyond his own residential grouping without crossing any street. Furthermore, the pedestrian's path to local shops and elementary schools should cross as few streets as possible.

Length: grid and modified grid system blocks should have a continuous frontage no longer than 800', except that a 1,200' long block is permissible if a pedestrian access no narrower than 10' is provided near the mid-point of the block.

Cul-de-sacs should be no longer than 250' to the neck of the turn-around, unless a connection to an adjacent street can be achieved by a 10' wide paved pedestrian walk for emergency vehicle access.

P-loop streets should have a neck no longer than 700' and a loop circumference no longer than 2,800', measured at the center-line of the street;

P-Loop streets must have emergency vehicle access to an adjacent street.

Horseshoe-loop streets may be of varying lengths, depending on the number of dwelling units served.

Width: 40' - 50'.

Specifications of street and sidewalk design and construction must conform to the standards of the Department of Highways.

Sidewalks and pedestrian ways

Sidewalks and pedestrian ways supplement and complement street systems in establishing the character of a residential environment. The pedestrian circulation system need not parallel the street system, but the following criteria must be observed:

- a. A sidewalk must be provided on at least one side of a public street except where it can be demonstrated that such a sidewalk is not desirable.
- b. Pedestrian circulation systems must be provided as convenient, safe, and attractive links between residential groupings, open space areas, recreational areas, schools, and local shopping areas.
- c. The width of any sidewalk must be at least 4'.
- d. Alternatives to the norms of asphalt or concrete pavement construction should be considered; surface treatment and forming methods can afford an opportunity to enhance the character of a residential environment.

Utility placement

The requirements of utility locations generally follow the street pattern; however, easements through common open space augment the flexibility of utility placement. Easement requirements are as follows: 20'

unobstructed width for one storm or sanitary line; 30' for two storm or sanitary lines. The feasibility of burying electrical and telephone lines should be studied, as well as the use of existing watercourses for storm drainage.

Site characteristics

Pre-existing site conditions have considerable importance in establishing the character of a residential development. Previous policy, again through street mapping and traditional lot sizes, has generally ignored the preservation of natural site characteristics. The Planned Unit Development amendment not only permits but encourages flexible and positive responses to the natural assets of a site. Specific site assets which should be considered in a Planned Unit Development are:

Trees: trees of 6" diameter and larger are to be protected and saved wherever possible, particularly where a grouping of such trees exists; the feasibility of temporary removal and replacement of smaller trees should be considered.

Contours: responses to site profiles must be considered in Planned Unit Developments; ridges, rock outcroppings, slopes, and hillocks all require that special consideration be given the siting of buildings.

Water: existing site water, in the form of watercourses, streams, marshes, and ponds should be considered as possible resources for the establishment of viable ponds, streams, or storm drainage courses.

Orientation: the siting of a residential development should be assessed in terms of site profiles, views, sun, prevailing wind, and water resources.

Open Space Development: all of the above considerations should be coordinated with a view towards developing pleasant and usable open space pattern

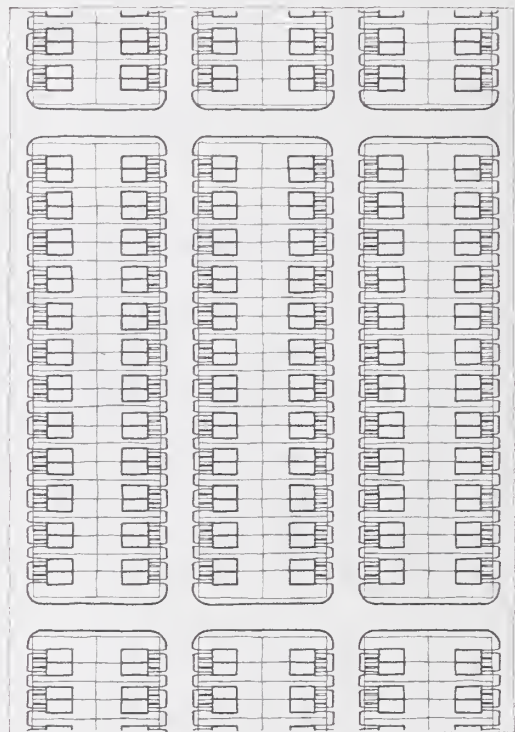
throughout the residential community. This open space should be related to any existing parks or park plans.

Houses and placement of houses on lots

The house is the most important item for each individual homeowner in the residential community. Past practice in New York City, because of the inflexibilities of street mapping and subdivision, has dictated much too limited a range of choice for homebuyers and developers alike. Typically, present practice has resulted in deep, narrow houses on deep, narrow lots. The front yard in this situation is entirely given over to a paving network: sidewalks, driveways, and front walks. The side yard along which the largest dimension of the house must run is seldom much more than 8' wide and is virtually worthless. The rear yard becomes the only usable open space, and even here, since all houses are placed in a row, it is very difficult to establish any real privacy.

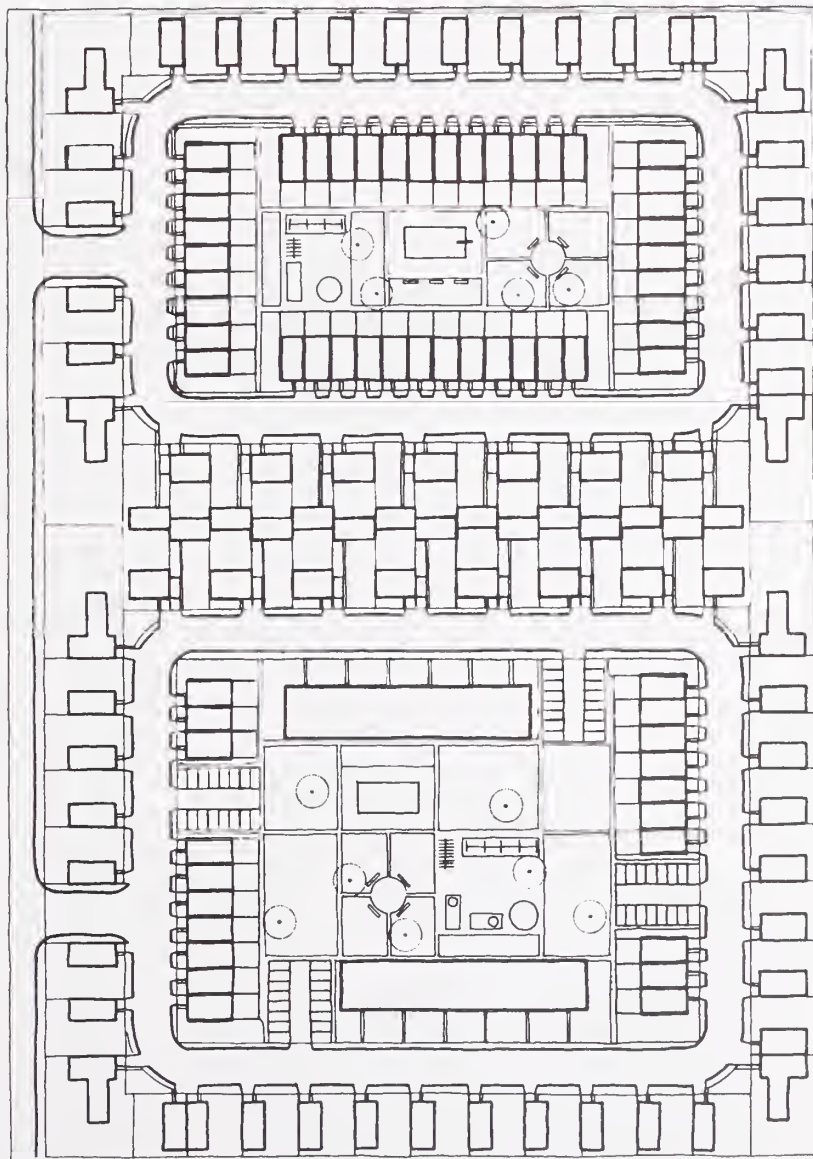
Without setting down standards for houses and their placement, it is the intention of the Planned Unit Development regulations to introduce the kind of flexibility which will greatly improve the residential environment. Specifically, the individual house must be designed to relate the open area around each house to what occurs inside the house. The house has entrances for people and an entrance for automobiles; this fact has meaning both in terms of open area, and the portion of the house which serves the entrance function; and a design response to this fact is expected. The house has indoor and outdoor living functions; this requires a design which relates the two, preferably resulting in increased privacy for outdoor living because of the way adjacent buildings are placed. Similar thought and design response should be shown in the arrangement of bedrooms, internal circulation, and service spaces.

not this



1
Site plan shows maximum site utilization with semi-detached house types, typical of past standards. Note that all streets go straight through; no meaningful open space is provided, and the distance between adjacent structures is only 13 feet.

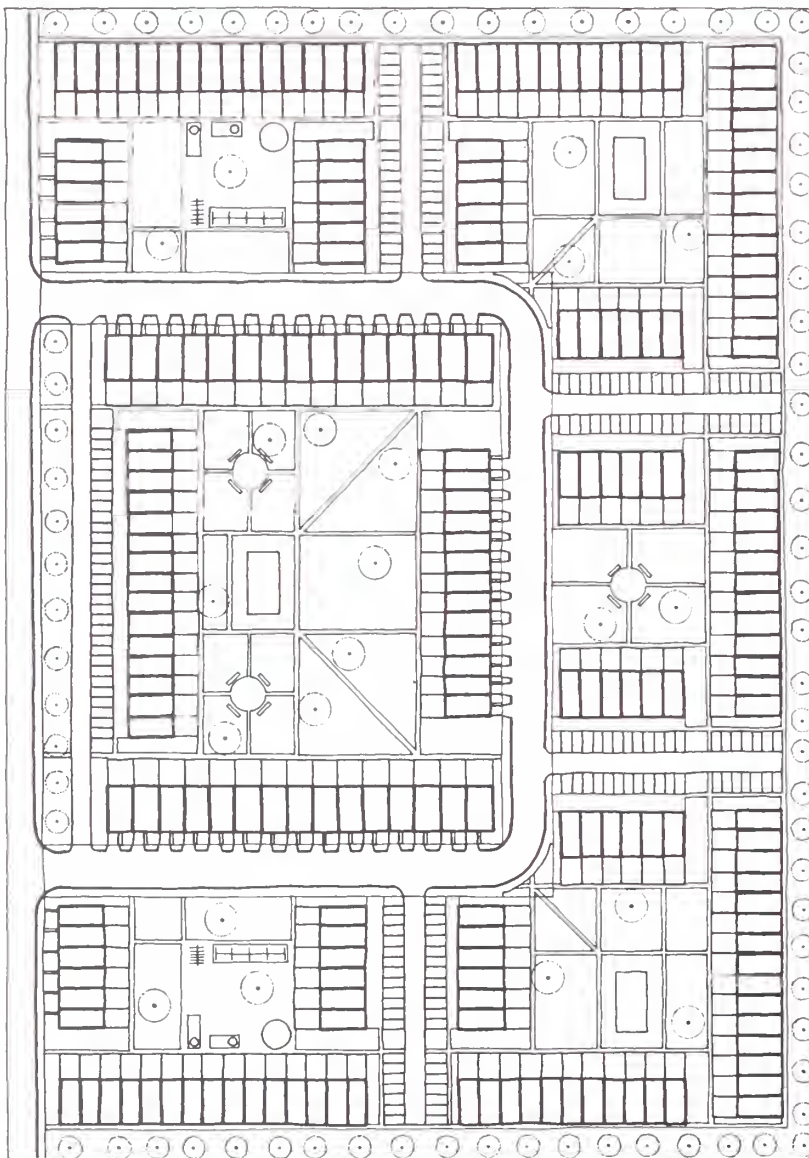
but this



2

Site plan shows a variety of house types arranged around a loop street system. Note that streets serve only houses on the loops; that the houses are oriented toward their private yards; that large areas of common open space are provided in the interior of each loop; and that the distance between structures is never less than 20 feet.

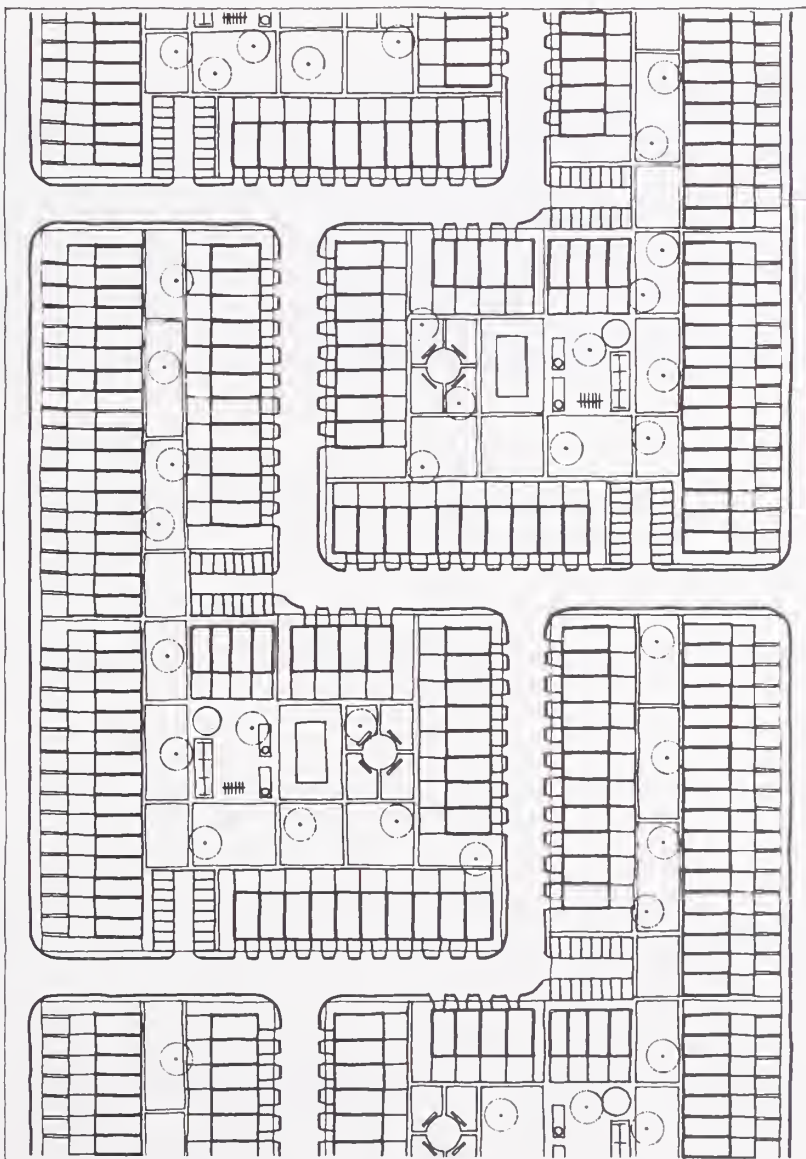
or this



3

Site plan shows townhouses arranged around a horseshoe loop and cul-de-sac street system. Note that the streets are solely for the use of the individual townhouse clusters; that each cluster encloses meaningful open space accessible through the private yards of individual houses; and spacing between building groups is very generous.

or this

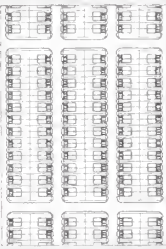
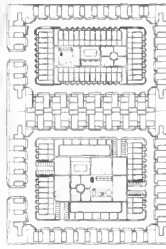
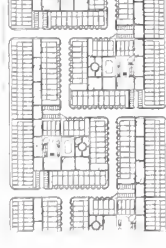


4

Site plan shows townhouses arranged on a modified grid street system. Note that, by making minor modifications in a typical grid system, through traffic can be eliminated; that the resulting building placement defines a series of open spaces, private and common; and that spacing between the buildings is generous.

Table of comparative advantages

Table shows land use and site utilization advantages of Planned Unit Development schemes (numbered 2, 3, and 4) over conventional subdivision scheme, 1.

	GROSS SITE AREA	STREET AREA	STREET AREA % OF GROSS SITE AREA	NET SITE AREA
1 	20 ACRES	6.3 ACRES	31.4%	13.7 ACRES
2 	20 ACRES	5.6 ACRES	28%	14.4 ACRES
3 	20 ACRES	4.1 ACRES	20.5%	15.9 ACRES
4 	20 ACRES	5 ACRES	25%	15.0 ACRES

COMMON OPEN SPACE	NUMBER OF DWELLING UNITS	ALLOWABLE FLOOR AREA PER DWELLING UNIT	ALLOWABLE COVERAGE PER DWELLING UNIT	ALLOWABLE NUMBER OF ROOMS PER DWELLING UNIT	
NONE	semi-det : 198	1400 sq. ft.	700 sq. ft.	7.5	Figures based on: typical zoning lot of 2800 sq. ft. F.A.R. (Floor Area Ratio) of .5 O.S.R. (Open Space Ratio) of 150 lot area per room of 375 sq. ft.
2.3 ACRES	detached: 59 semi-det: 23 townhouses: 62 garden apts: 56 total: 200	1840 sq. ft.	940 sq. ft.	9.5	Figures based on: net site area divided by number of dwelling units, and application of full bonuses resulting in: F.A.R. (Floor Area Ratio) of .575 O.S.R. (Open Space Ratio) of 120 lot area per room of 337 sq. ft.
8.6 ACRES	townhouses: 213	1900 sq. ft.	980 sq. ft.	9.8	
4.0 ACRES	townhouses: 210	1820 sq. ft.	975 sq. ft.	9.35	

Site planning alternatives

An actual site in south Staten Island has been selected to illustrate the full range of site planning opportunities possible under the Planned Unit Development amendment. The following pages show an aerial photograph of the site as it exists, a drawing accentuating the site topography, a conventional proposal for development of the site, and four alternatives for development under Planned Unit Development. The first two alternatives show developments of about the same density as the conventional proposal. The third alternative shows a scheme of somewhat higher density, that could accommodate an increased demand for apartment units. The fourth alternative shows how a maximum number of units can be developed using apartment houses with an urban scale, but within the permissible density.

The site from the air

The selected site, like many in south Staten Island, is in a natural state, characterized by trees, ridges, ponds, and creeks.

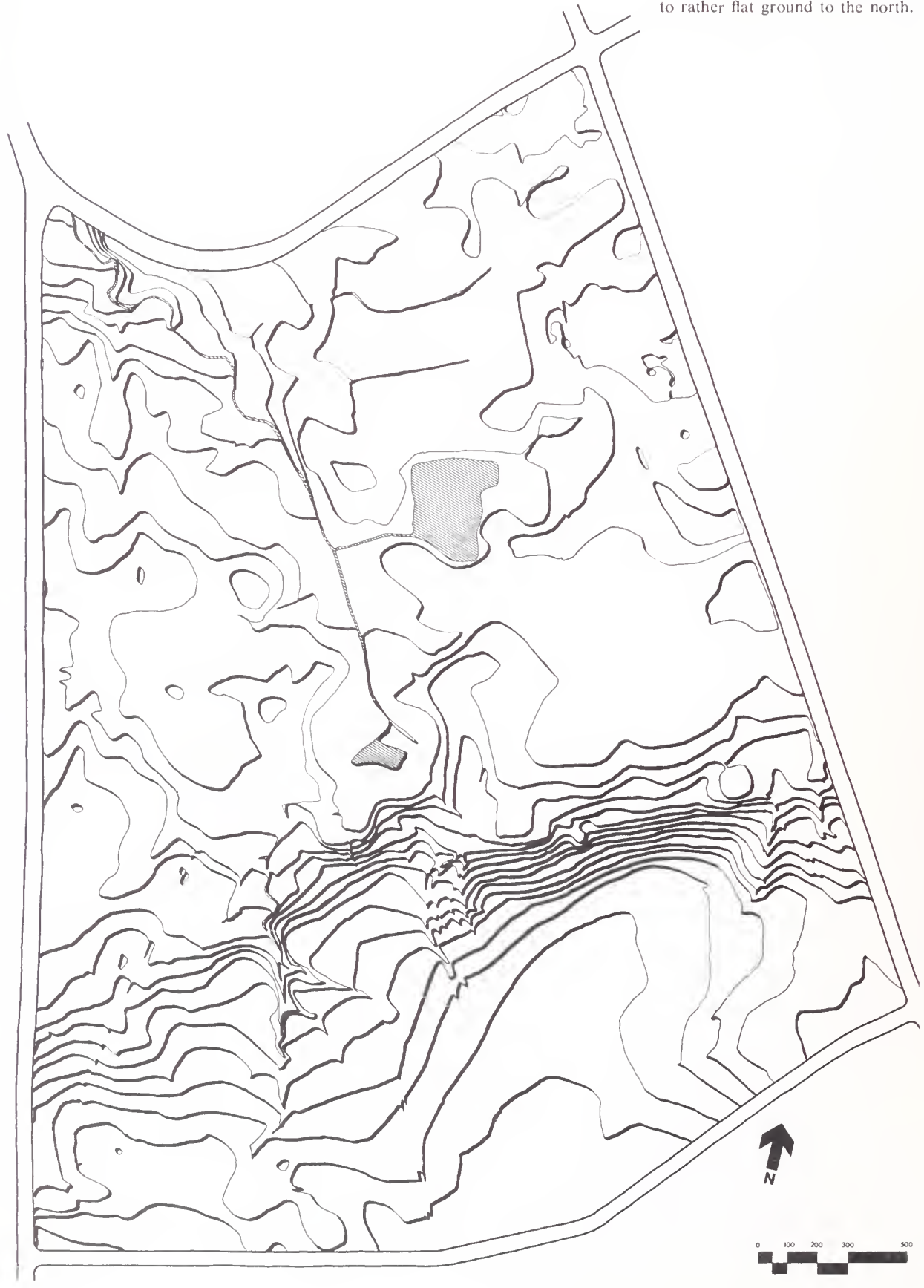
The boundary streets provide easy access to the site area.

Clearly, this site, with all its natural beauty and accessibility, presents the opportunity for a spectacular residential development.



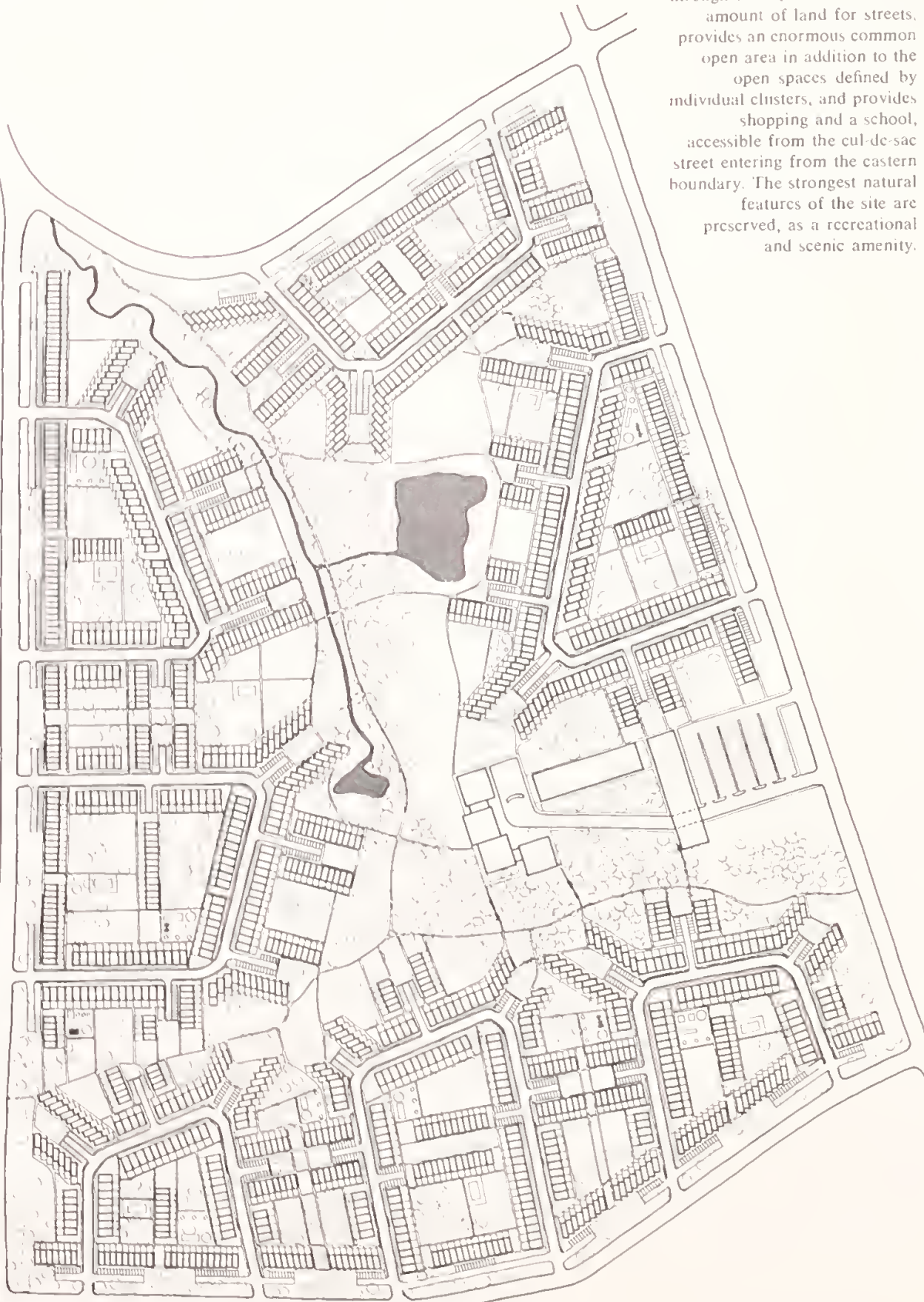
Contour map

This contour map accentuates the exciting topography and water resources of the site. The high ground to the south pitches sharply and irregularly down to rather flat ground to the north.



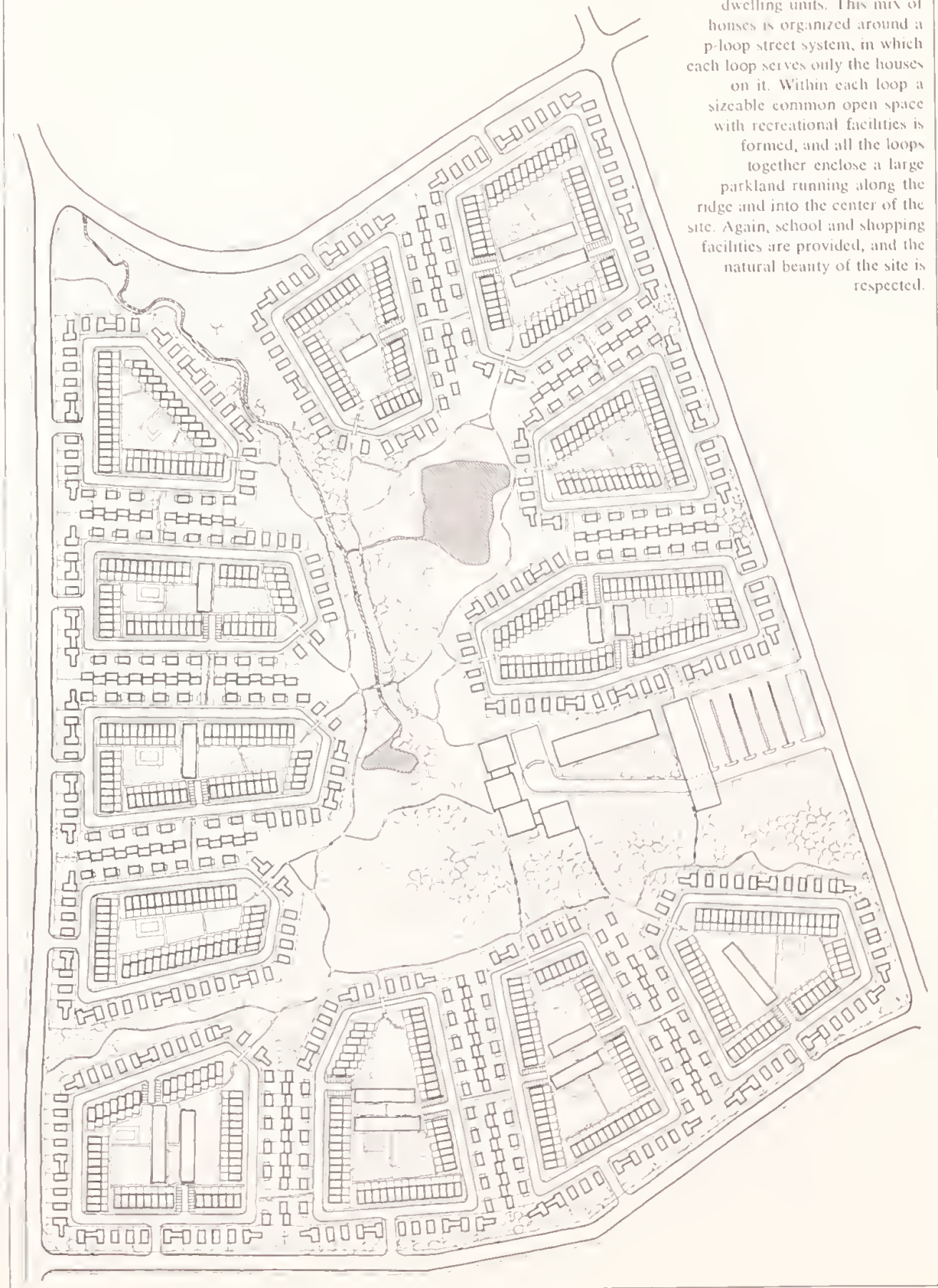
Townhouse clusters on collector streets

This scheme of townhouse clusters shows 1431 homes on the same site. This scheme is characterized by a horseshoe loop street system, which eliminates through traffic, uses a minimum amount of land for streets, provides an enormous common open area in addition to the open spaces defined by individual clusters, and provides shopping and a school, accessible from the cul-de-sac street entering from the eastern boundary. The strongest natural features of the site are preserved, as a recreational and scenic amenity.



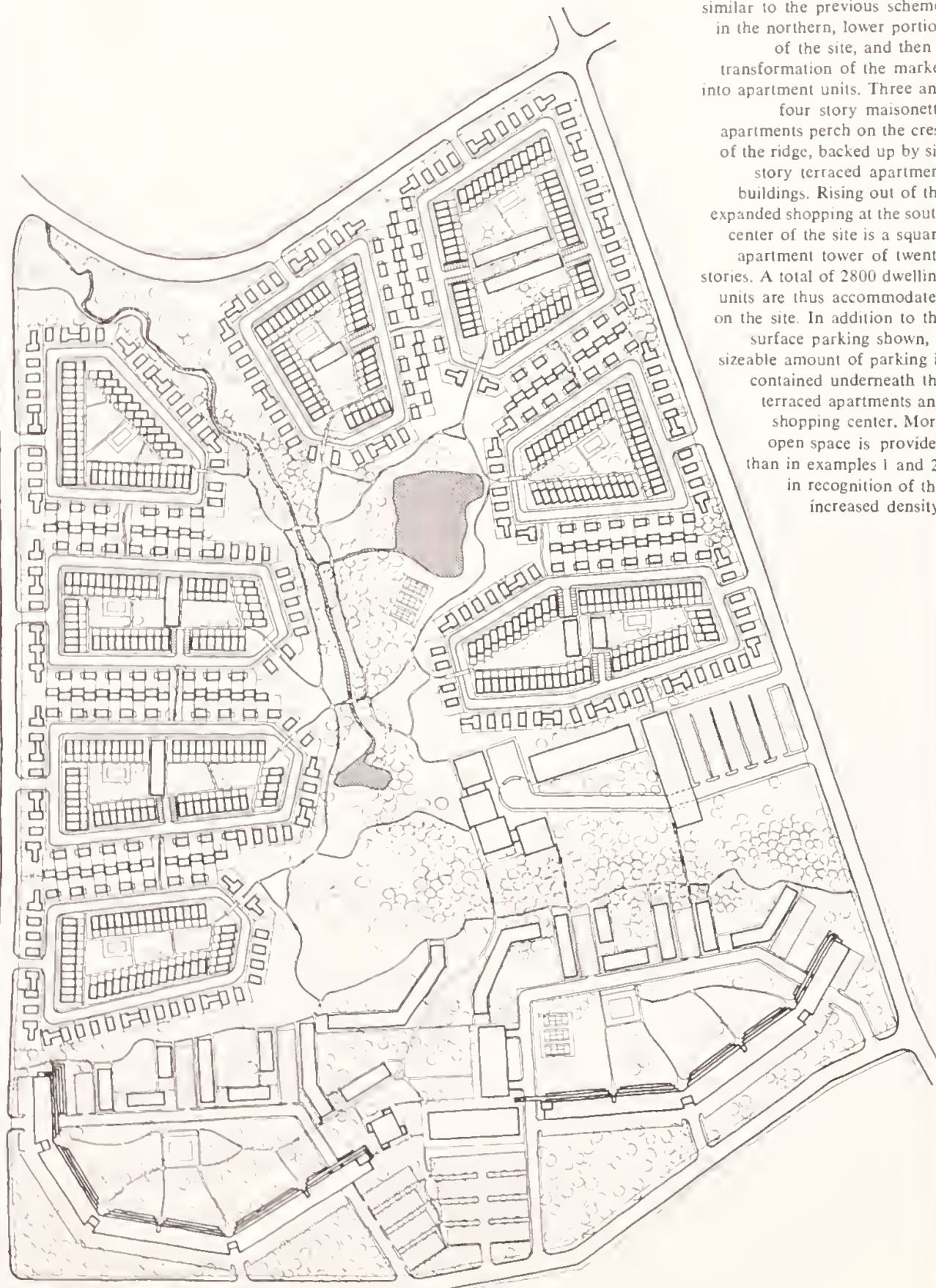
Varied house types on loop streets

This scheme includes a full range of house-types: detached houses, semi-detached houses, townhouses, and townhouse apartments, totalling 1445 dwelling units. This mix of houses is organized around a p-loop street system, in which each loop serves only the houses on it. Within each loop a sizeable common open space with recreational facilities is formed, and all the loops together enclose a large parkland running along the ridge and into the center of the site. Again, school and shopping facilities are provided, and the natural beauty of the site is respected.



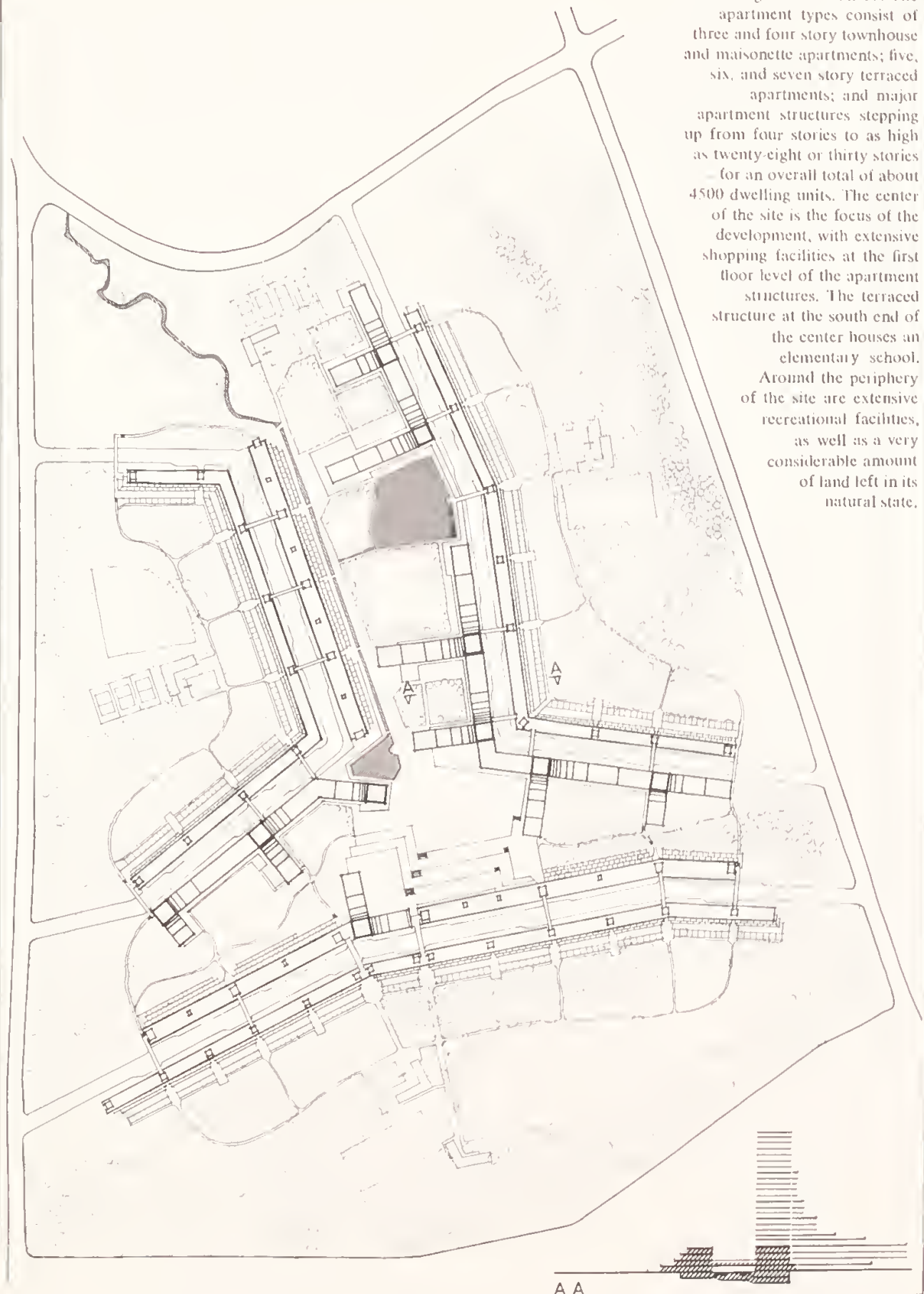
House clusters and apartment houses

This scheme anticipates changing market conditions during the course of a development time span. It assumes an initial development similar to the previous scheme, in the northern, lower portion of the site, and then a transformation of the market into apartment units. Three and four story maisonette apartments perch on the crest of the ridge, backed up by six story terraced apartment buildings. Rising out of the expanded shopping at the south center of the site is a square apartment tower of twenty stories. A total of 2800 dwelling units are thus accommodated on the site. In addition to the surface parking shown, a sizeable amount of parking is contained underneath the terraced apartments and shopping center. More open space is provided than in examples 1 and 2, in recognition of the increased density.



Apartments for maximum open space

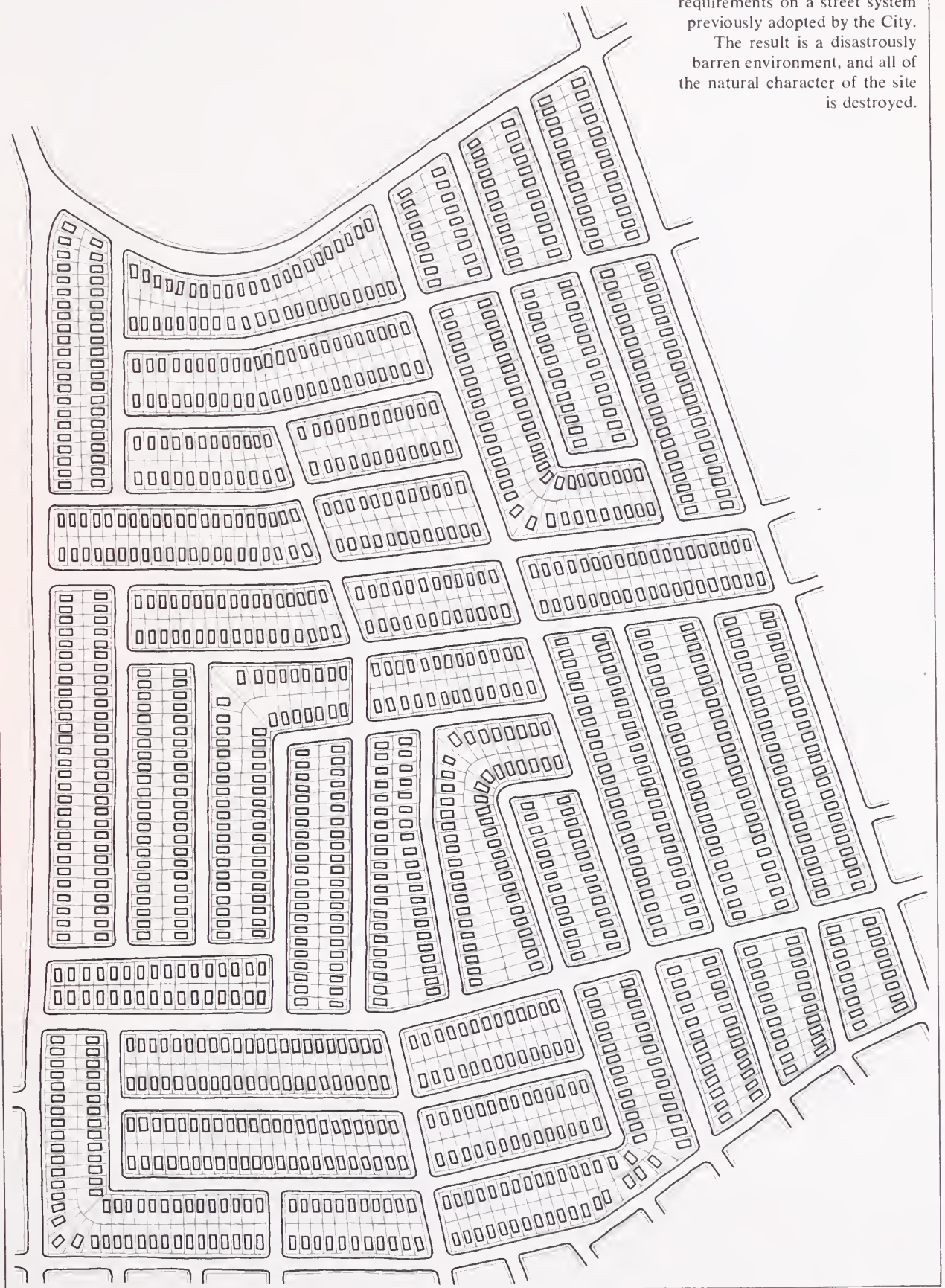
This scheme represents an entirely urban, apartment-type residential environment in which a maximum number of dwelling units is realized. The apartment types consist of three and four story townhouse and maisonette apartments; five, six, and seven story terraced apartments; and major apartment structures stepping up from four stories to as high as twenty-eight or thirty stories — for an overall total of about 4500 dwelling units. The center of the site is the focus of the development, with extensive shopping facilities at the first floor level of the apartment structures. The terraced structure at the south end of the center houses an elementary school. Around the periphery of the site are extensive recreational facilities, as well as a very considerable amount of land left in its natural state.



Conventional street grid

A conventional scheme for development of the site shows 1427 single family houses on about 205 acres. Houses are placed according to zoning lot requirements on a street system previously adopted by the City.

The result is a disastrously barren environment, and all of the natural character of the site is destroyed.



How a developer applies for PUD

The application procedure for a Planned Unit Development generally has two stages. The first stage is a preliminary submission and response; the second stage is a final submission and formal action by the City Planning Commission. This two-stage procedure, a detailed outline of which follows, applies to applications requiring only administrative action as well as to applications requiring public hearings and Board of Estimate approval.

Preliminary submission:

The sponsor should submit the following material, during the preparation of which the sponsor is encouraged to keep the Commission staff informed of his progress and to consult with the staff if any questions or problems arise. Such consultation will speed the process of approval.

Drawings

(Note: Sheet sizes should be no larger than 24" x 36" except where the indicated minimum scales require a larger sheet.)

1. Site plan showing existing features: contours at 5' intervals, location and diameter of all trees 6" in diameter and larger, location of watercourses, ponds, and streams, existing structures and roads, and any other features, such as large rock outcroppings, which may be distinctive or unusual on a particular site. Scale: no less than 1" = 160'.
2. Site sections sufficient to indicate the major site profiles, presented at same scale as the site plan.
3. An architectural site plan showing proposed streets, lot sizes and shapes, parking, curb cuts, all pedestrian ways, placement of buildings on lots, community facilities, and open space location and treatment. Scale: no less than 1" = 160'.
4. Drawings or models indicating the three dimensional character of the proposal in an accurate way. The drawings may be perspectives, sections, elevations, axonometrics, or isometrics in any combination, or at any scale, that is appropriate for communicating the character of the proposal.
5. (Required only where new or altered street plan is included as part of submission.) Preliminary street and drainage plans, showing alignment of streets and direction of flow of storm and sanitary sewer in relation to topography. These drawings should be at same scale as the architectural site plan. Where an official street and drainage plan exists, it should be submitted for purposes of comparison.
6. Preliminary plans of house types proposed for development. Minimum Scale: 1/8" = 1'.

Written material

In addition to the drawings, other pertinent information about sponsor's proposal must be submitted in preliminary form:

1. Statistical summary of proposal, including: gross site area; street area; net site area; number of each variety of dwelling unit, and total number of dwelling units; floor area per dwelling unit type and total floor area; common open space area and total open space area; and number of rooms per dwelling unit type and total number of rooms.

2. Staging plan: a general time schedule of expected completion dates of elements of plan.
3. Financial plan: a general description of the intended means of financing the development,
4. Size and scope of shopping facilities, if any.
5. Size and scope of any other community facilities.
6. Preliminary ownership and maintenance plan of common open space, if any.
7. Certification of ownership of property.

Within 45 days of receipt of a complete preliminary submission, the Commission will tell the sponsor whether a final submission is encouraged.

At this time also the Commission will make known any conditions to be included in the final submission, such as allowance for community facilities or the need to accommodate street plans to those of adjacent areas. Also the Commission may request that certain documents be submitted to the Commission to facilitate coordination with other City agencies.

Final submission:

The sponsor's final proposal should include all the following material:

Drawings

All the drawings from the preliminary submission must be resubmitted in an up-to-date form. In addition, where street and drainage plans are new or altered, complete drawings conforming to the requirements of the Borough President, the City Planning

Commission, the Department of Public Works and other appropriate City agencies must be submitted at this time.

Written material

All schedules and documents called for in the preliminary submission must be submitted in final form.

It is intended that, by the time the final submission is made, the Commission and staff will have been adequately informed during the development of final documents so that the final response period may be minimized; and so that any problems which may have arisen can be resolved during preparation of final documents.

Within 45 days of receipt of a completed final submission the Commission will take appropriate action: normally, either granting administrative approval or fixing a public hearing. Where the latter action is appropriate, the Commission will move expeditiously to hold the hearing and make its report to the Board of Estimate.

In the event that a sponsor subsequently wishes to make minor modifications to an approved Planned Unit Development, such modifications shall be submitted to the Commission in a form which compares the approved submission with the desired changes. The Commission may authorize such minor modifications without public hearings or Board of Estimate action. Minor modifications generally may be construed to mean substitutions of one approved house type for another, or minor variations in placement of buildings in such a way that the overall limits of approved floor area, open space, or rooms per acre are not increased.

Any substantial changes from an approved plan will be subject to the same procedure as new submissions.

Examples of required drawings

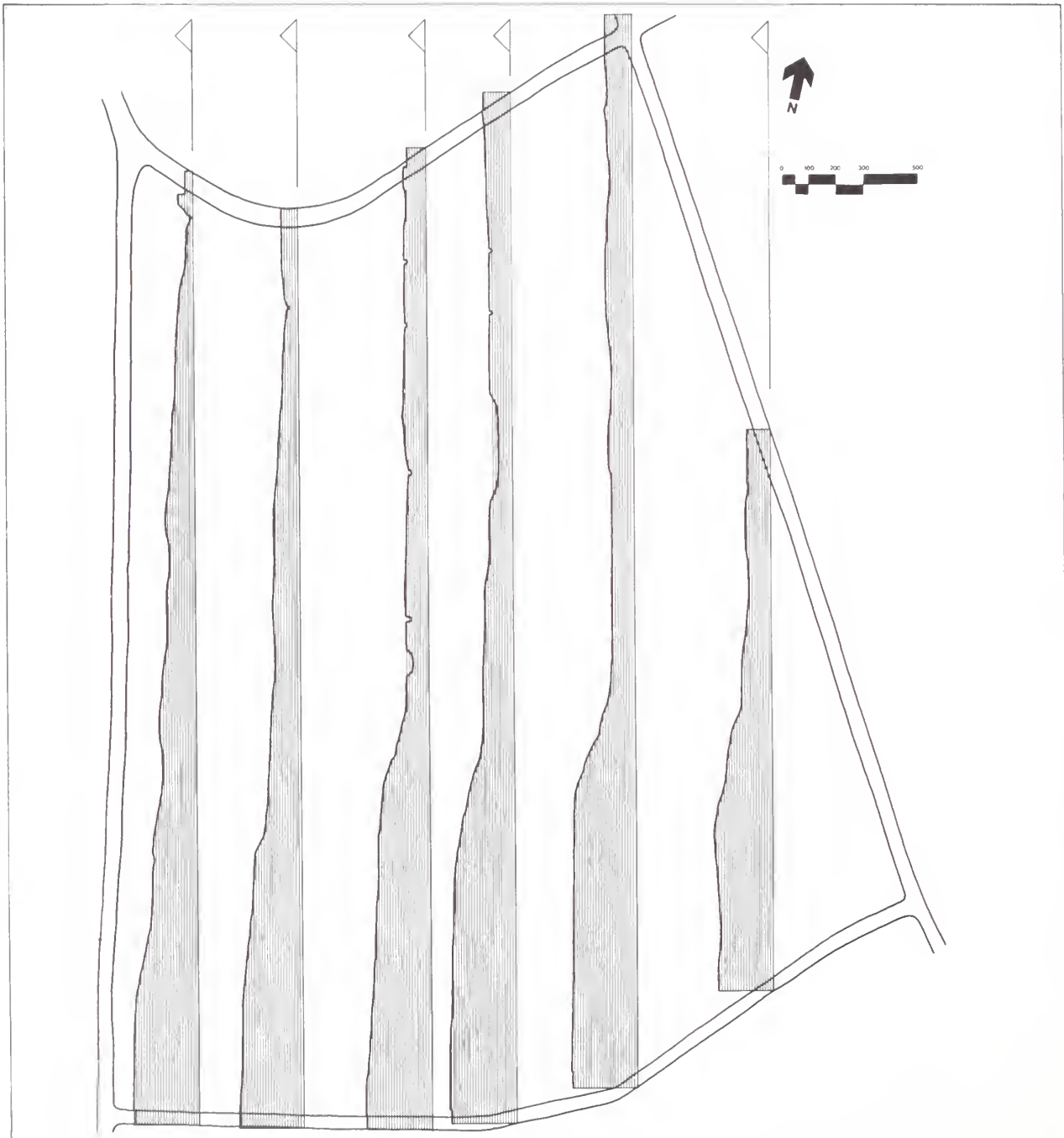
1

Site plan of existing features, showing contours, trees, ponds and creek, and bounding roads.



2

Site sections, taken where indicated on plan, with the vertical scale exaggerated by 2 to 1.



3

Preliminary street and drainage plan, showing alignment of streets and direction of flow of storm and sanitary sewer lines.



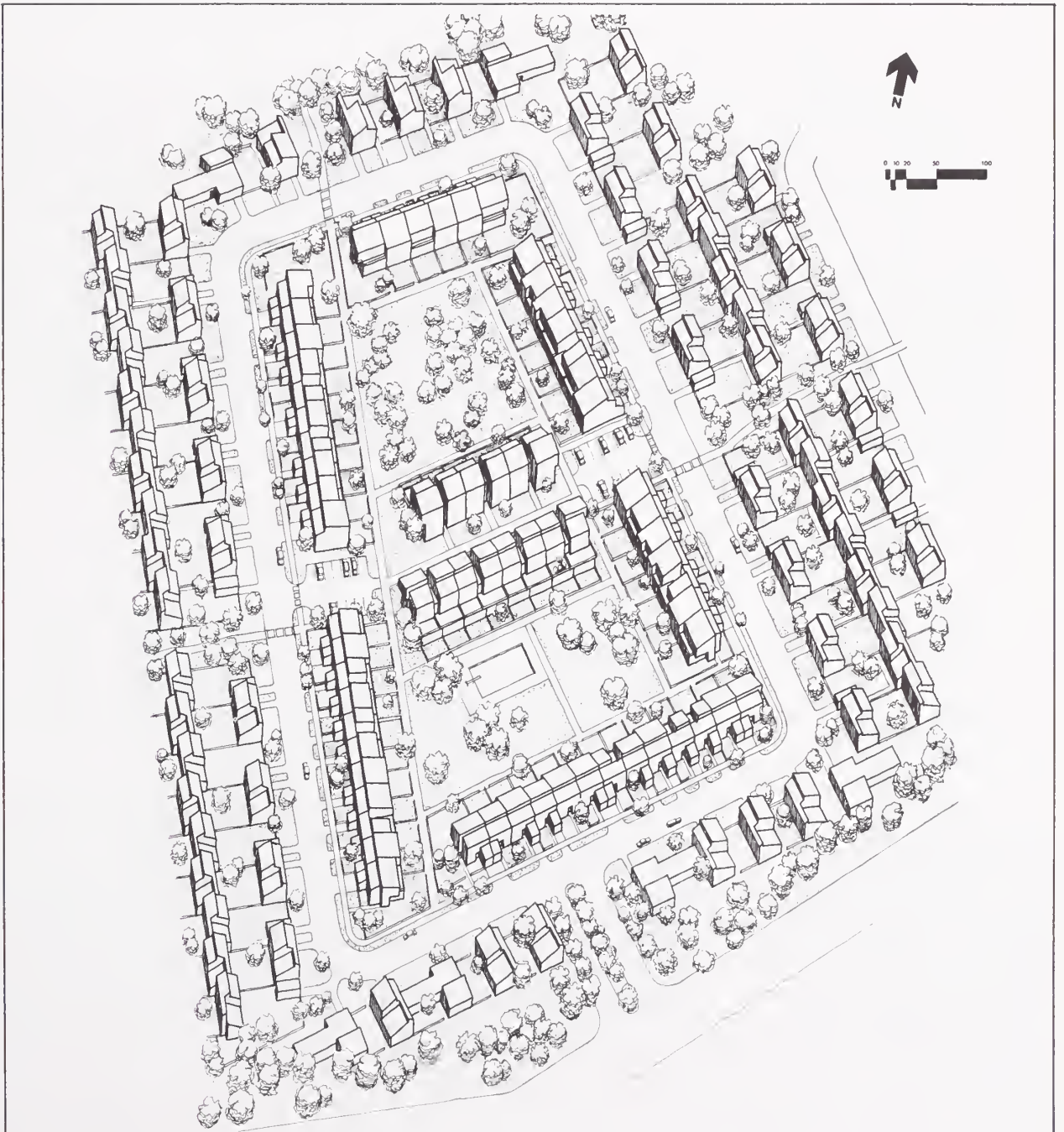
4

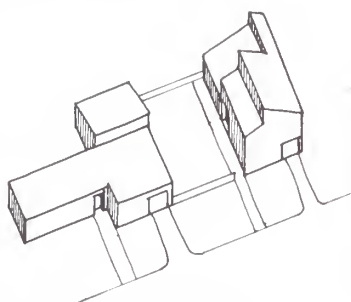
Architectural site plan, showing streets, parking, curb cuts, pedestrian ways, placement of buildings, shopping center and school, and open space treatment.



5

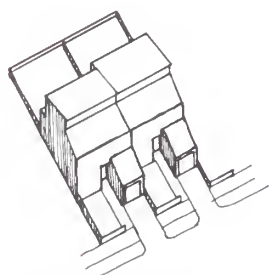
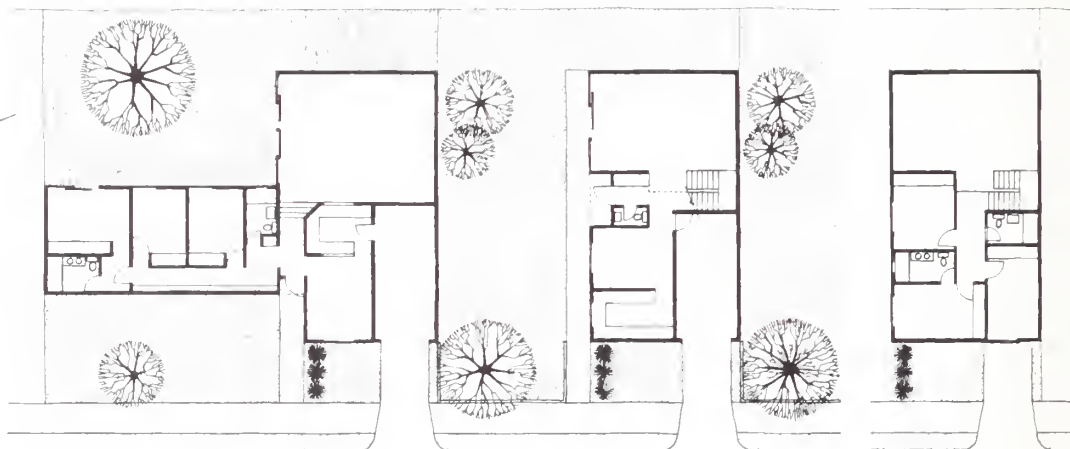
Axonometric projection of one loop, indicating three-dimensional character of the scheme.





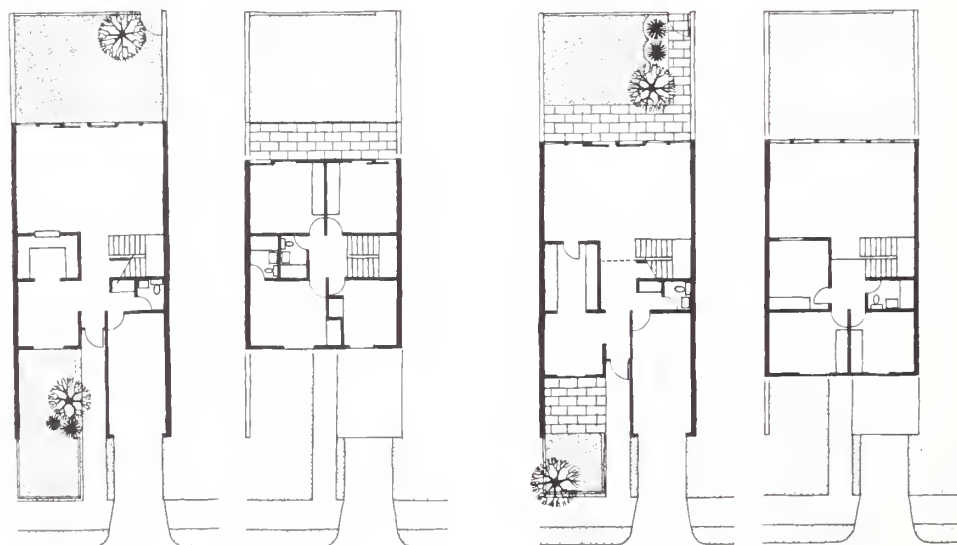
Detached houses

Two detached house plans, one showing a one story, three bedroom house, the other showing a two story, three bedroom house with a "cathedral" ceiling over the living room.



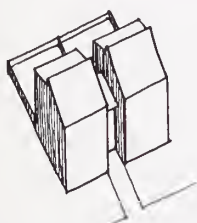
Townhouses

Two alternative townhouse plans, one showing a four-bedroom scheme in which two of the bedrooms open out onto a second story deck, the other showing a three bedroom scheme which permits a "cathedral" ceiling over the living room.



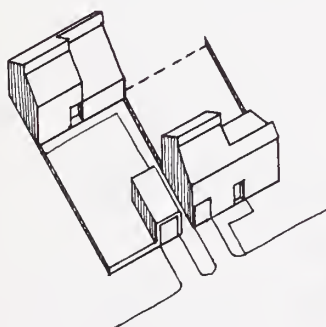
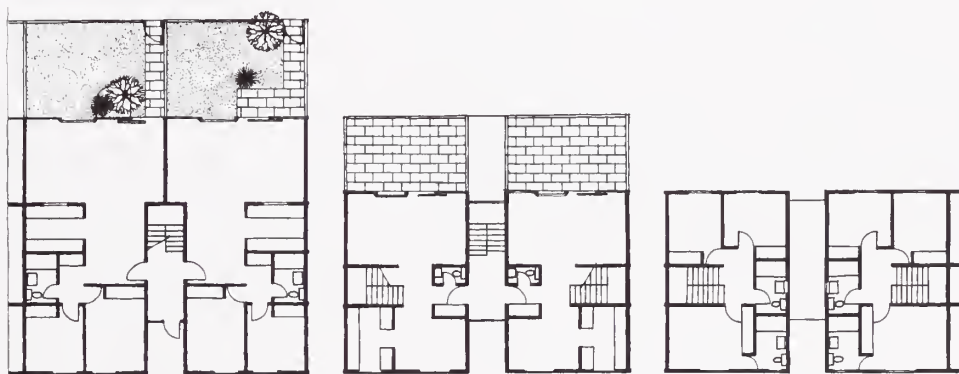
6

Plans of all house and apartment types to be built in development, showing relationships of yards to interior of house.



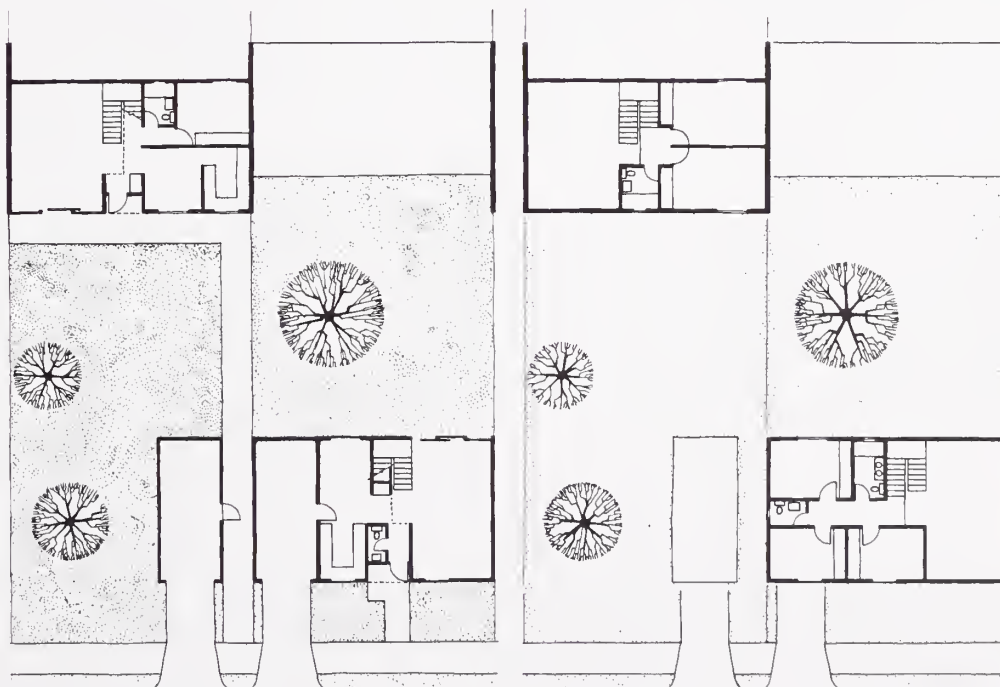
Garden apartments

Apartment plans, showing one story, two bedroom units at the ground floor and three bedroom duplexes at the second and third stories.



Detached-attached houses

Front house is a three bedroom unit with a "cathedral" ceiling over the living room and a large rear yard containing nearly all the open space on the lot. Back house, also a three-bedroom unit with a "cathedral" ceiling over the living room, has its yard in front.



Provisions of the zoning regulations governing

78-00 GENERAL PURPOSES, DEFINITIONS AND GENERAL PROVISIONS

78-01

General Purposes

The regulations set forth in this Chapter are designed to deal with certain types of problems which arise only in connection with large-scale residential developments and to promote and facilitate better site planning and community planning through modified application of the district regulations in such developments.

For large-scale residential developments involving several zoning lots but planned as a unit, the district regulations may impose unnecessary rigidities and thereby prevent achievement of the best possible site plan within the overall density and bulk controls. For such developments the regulations of this Chapter are designed to allow greater flexibility for the purpose of securing better site planning for development of vacant land and to provide incentives toward that end while safeguarding the present or future use and development of surrounding areas, and specifically: to achieve more efficient use of increasingly scarce land within the framework of the overall bulk controls, to enable open space in large-scale residential developments to be arranged in such a way as best to serve active and passive recreation needs of the residents, to protect and preserve scenic assets and natural features such as trees, streams and topographic features, to foster a more stable community by providing for a population of balanced family sizes, to encourage harmonious designs incorporating a variety of building types and variations in the siting of buildings, and thus to promote and protect public health, safety, and general welfare.

78-02 DEFINITIONS

Block

A "block" is a tract of land bounded by:

- (a) *Streets*,
- (b) *Public parks*,
- (c) Railroad rights-of-way, when located above ground but not including sidings or spurs in the same ownership as the *zoning lot*,
- (d) Airport boundaries,
- (e) Pierhead lines (or short lines, where no pierhead lines have been established), or
- (f) Corporate boundary lines of New York City.

Large-scale Residential Development

A "large-scale residential development" is a *development* used predominantly for *residential uses*, on a tract of land containing a single *zoning lot* or two or more *zoning lots* which are contiguous or would be contiguous but for their separation by a *street*, which tract of land:

(a) Has or will have an area of at least 15 acres and a total of at least three principal *buildings*, or an area of at least three acres and a total of at least 500 *dwelling units*, and

(b) Is to be *developed* as a unit, or, in the case of an urban renewal project, under the coordination and supervision of the City's urban renewal agency.

Lot area

"Lot area" is the area of a *zoning lot*.

Street

A "street" is:

- (a) A way shown on the City Map, or
- (b) A way designed or intended for general public use, connecting two ways shown on the City Map, which:
 - (1) Performs the functions usually associated with a way shown on the City Map, and
 - (2) Is at least 50 feet in width throughout its entire length, and
 - (3) Is covenanted by its owner to remain open and unobstructed throughout the life of any *building* or *use* which depends thereon to satisfy any requirement of this resolution; or
- (c) Any other open area intended for general public use and providing a principal means of approach for vehicles or pedestrians from a way shown on the City Map to a *building* or *other structure*, which
 - (1) Performs the functions usually associated with a way shown on the City Map, and
 - (2) Is at least 50 feet in width throughout its entire length, and
 - (3) Is approved by the City Planning Commission as a "street" to satisfy any requirement of this resolution, and
 - (4) Is covenanted by its owner to remain open and unobstructed throughout the life of any *building* or *use* which depends thereon to satisfy any requirement of this resolution, or
- (d) Any other public way which on the effective date of this resolution was performing the functions usually associated with a way shown on the City Map.

A driveway which serves only to give vehicular access to an *accessory* parking or loading facility, or to allow vehicles to take on or discharge passengers at the entrance to a *building*, shall not be considered a *street*.

Zoning lot

A "zoning lot" is either:

- (a) A lot of record existing on the effective date of this resolution or any applicable subsequent amendment thereto, or
- (b) A tract of land, either unsubdivided or consist-

Planned Unit Development

ing of two or more contiguous lots of record, located within a single *block*, which, on the effective date of this resolution or any applicable subsequent amendment thereto, was in single ownership, or

(c) A tract of land, located within a single *block*, which, at the time of filing for a building permit (or, if no building permit is required, at the time of filing for a certificate of occupancy), is designated by its owner or developer as a tract all of which is to be used, *developed*, or built upon as a unit under single ownership.

A *zoning lot* therefore may or may not coincide with a lot as shown on the official tax maps of The City of New York or on any recorded subdivision plat or deed.

For the purposes of this definition, ownership of a *zoning lot* shall be deemed to include a lease of not less than 50 years duration, with an option to renew such lease so as to provide a total lease of not less than 75 years duration.

A *zoning lot* may be subdivided into two or more *zoning lots*, provided that all resulting *zoning lots* and all *buildings* thereon shall comply with all of the applicable provisions of this resolution. If such *zoning lot*, however, is occupied by a *non-complying building*, such *zoning lot* may be subdivided provided such subdivision does not create a new *non-compliance* or increase the degree of *non-compliance* of such *building*.

78-03

Applicability of this Chapter

Large-scale residential developments are governed by all the *use*, *bulk*, off-street parking and loading, and other applicable regulations of this resolution, except for such special provisions as are specifically set forth in this Chapter and apply only to such *developments*.

Any *large-scale residential development* having a total of at least 500 *dwelling units* shall be subject to the provisions of Sections 78-11 (General Provisions), relating to Provision of Public Facilities in Connection with Large-Scale Residential Developments.

78-04

Powers of the City Planning Commission

78-041

Authorization by Commission

For any *large-scale residential development* for which proposed modifications of the applicable district regulations are limited to those which may be granted in accordance with the provisions of Sections 78-21 to 78-23, inclusive, relating to Use Regulations, Sections 78-311 and 78-313 relating to Bulk Regulations, Section 78-41 (Location of Accessory Parking Spaces), or Sections 78-51 to 78-53, inclusive, relating to Subdivision of Large-Scale Residential Developments, the City Planning Commission may grant such modifica-

tions in accordance with the provisions of such specified sections and may prescribe appropriate conditions and safeguards thereon.

78-042

Special permits

For *large-scale residential developments* for which proposed modifications of the applicable district regulations include those which may be granted only in accordance with the provisions of Section 78-312 to 78-33, inclusive, relating to Bulk Regulations, or Sections 78-42 (Parking Regulations for Community Facility Uses), the City Planning Commission may, after public notice and hearing and subject to Board of Estimate action, grant special permits for such modifications in accordance with the applicable provisions of such specified sections and other sections of this Chapter and may prescribe appropriate conditions and safeguards thereon. Within five days after the Commission approves an application for such special permit, the resolution of approval, together with a copy of the application, shall be filed with the Secretary of the Board of Estimate, and the Board of Estimate shall act upon such resolution in accordance with the provisions of Section 200 of the New York City Charter.

78-043

Requirements for Findings

The requirements for findings as set forth in this Chapter shall constitute a condition precedent to the grant of any such modification by special permit or otherwise. The decision or determination of the Commission shall set forth each required finding in each grant of modifications for a *large-scale residential development*. Each finding shall be supported by substantial evidence or data considered by the Commission in reaching its final decision.

78-044

Contractual agreements

The City of New York may enter into contractual agreements with the applicant as may be required to assure compliance with the terms and conditions of the modifications granted under the provisions of this Chapter.

78-05

Requirements for Applications

An application to the City Planning Commission for authorizations or special permit respecting any *large-scale residential development* shall include a site plan and related schedules showing the location and proposed *use* of all *buildings* or *other structures* on the site, the location of existing natural features such as important trees or clusters of trees, streams, or rock formations, and all information necessary to indicate the authorizations requested and their justification.

The City Planning Commission shall require, where relevant, a time schedule for carrying out the proposed *development*, a financial plan, a subdivision plan, and, in the case of a site plan providing for common *open space* or common parking areas, a maintenance plan for such space or areas and surety for continued availability of such space or areas to the people they are intended to serve.

78-06

Ownership

Except as otherwise provided in this Section for urban renewal projects, any *large-scale residential development* for which application is made for authorizations or special permit in accordance with the provisions of this Chapter shall be on a tract of land, which at the time of application is all under the control of the applicant as the single owner or holder of a written option to purchase. However, no authorizations or special permit shall be granted for such *development* unless the applicant has acquired actual ownership of, or executed a binding sales contract for, all of the property comprising such tract. For the purposes of this section, ownership shall include a lease of not less than 50 years duration, with an option to renew such lease so as to provide a total lease of not less than 75 years duration. The term "single ownership" shall include ownership of portions of such a *development* by two or more wholly-owned subsidiaries of a single owner, or by such single owner and one or more of its wholly owned subsidiaries. When such *development* is part or all of an urban renewal project, the development plan of which has been approved by the City Planning Commission and the Board of Estimate, the City's urban renewal agency may make application for and be granted authorizations or special permits under the provisions of this Chapter, even though it does not meet the ownership requirements set forth elsewhere in this Section, provided that all the parcels comprising such tract of land shall have been previously in City ownership and since their conveyance by the City have remained subject to the urban renewal controls set forth in the approved development plan.

78-07

Lapse of Authorizations or Special Permit

Such authorizations or special permit granted under the provisions of this Chapter shall automatically lapse if substantial construction thereunder has not been completed within one year from the date of granting such authorizations or permit, or, if judicial proceedings to review the decision to make such grant shall be instituted, from the date of entry of the final order in such proceedings including all appeals.

78-10 PROVISION OF PUBLIC FACILITIES IN CONNECTION WITH LARGE-SCALE RESIDENTIAL DEVELOPMENT

78-11

General Provisions

The following regulations apply to all *large-scale residential developments* with a total of at least 500 *dwelling units*, except duly authorized urban renewal projects, as a condition precedent to the issuance of a building permit.

78-111

Report by Planning Commission

Within one month after a request from the Commissioner of Buildings, the City Planning Commission shall make a report, based upon information from the Board of Education and other appropriate City Departments, on the anticipated effect of the proposed *development* on the existing capacity of public *schools* or other public facilities serving the area in which the proposed *development* is to be located.

78-112

If no additional public facilities needed

If the Commission reports that the proposed *development* will not require any significant addition to the public facilities serving the neighborhood, then the requirements of this Section shall be considered to be satisfied.

78-113

If additional public facilities needed

If the Commission reports that the proposed *large-scale residential development* can be expected to create a need for one or more new public facilities in the neighborhood, the Commission may, in its discretion, recommend that a site for one or more such facilities should be reserved within the site of such proposed *development*. If the Commission does so recommend, the issuance of a building permit shall be withheld for a period not to exceed three months. In such a case, the requirements of this Section shall be considered to be satisfied:

- (a) If, within a period of less than three months, the developer and the appropriate City officials have agreed on the reservation of such a site or sites, or official proceedings have been initiated to authorize acquisition of such a site or sites, or if necessary to amend the capital budget to include the project as a prerequisite to site acquisition, or
- (b) In any event, at the expiration of the above-mentioned period of three months.

78-20 USE REGULATIONS

78-21

Permitted Uses

A *large-scale residential development* may include within its area any *residential uses* or *community facility uses* permitted in the district or districts in which it is located.

78-22

Accessory Uses in Large-Scale Residential Developments

A *large-scale residential development* may contain, as *accessory uses*, any *commercial uses* listed in Use Group 6A or 6F which in the aggregate occupy not more than two percent of the total *floor area* in the *development*, and of which no single establishment occupies more than 15,000 square feet of *floor area*; provided that upon a review of the site plan, the City Planning Commission finds that such *commercial uses*:

- (a) Will be primarily for the use of the residents of the *development* and will provide more convenient shopping for such residents, and
- (b) Are so located as to minimize interference with residential or recreational areas with the *development* and to avoid creation of traffic congestion or other objectionable influences affecting *residences* outside the *development*, and
- (c) Comply with all the applicable *bulk* and off-street parking and loading regulation for such *accessory commercial uses*, as set forth in Article II, Chapters 3 and 5, and
- (d) Conform to those provisions of the following Sections which are applicable to *commercial uses* in C1 Districts:
 - Section 32-41 (Enclosure within Buildings)
 - Section 32-42 (Location within Buildings)
 - Sections 32-61 to 32-68, inclusive, relating to Sign Regulations.

78-23

Accessory Swimming Pools

Swimming pools may be authorized by the City Planning Commission as *accessory uses* even though not located on the same *zoning lots* as the principal *uses* to which they are related, provided that:

- (a) Any such swimming pool is located in a common *open space* area and as a part of such area meets all the requirements set forth in Section 78-52 (Common Open Space)
- (b) The use of such swimming pool is restricted to the residents of the *large-scale residential development* or portion thereof served by such common *open space*, and their guests
- (c) The edge of such swimming pool is located not less than 100 feet from any *lot line* on the periphery of the *development*, except that it may be located not less than 50 feet from a *front lot line* if suitably screened from the *street*
- (d) Such swimming pool complies in all other respects with the definition of "*accessory use*" as set forth in Section 12-10 (DEFINITIONS).

78-30 BULK REGULATIONS

78-31

Location of Buildings and Distribution of Bulk and Open Space

Authorizations may be granted for *buildings* to be located, and *bulk* and *open space* distributed in accordance with the provisions of this Section.

78-311*

Authorizations by the Planning Commission

When a *large-scale residential development* includes or will include after subdivision two or more *zoning lots*, the City Planning Commission may upon application:

- (a) Authorize the total *floor area*, *dwelling units*, *rooms*, or *rooming units* permitted by the applicable district regulations for all *zoning lots* within the *development* to be distributed without regard for *zoning lot lines*.
- (b) Authorize the total *open space* required by the applicable district regulations for all *zoning lots* within the *development* to be distributed without regard for *zoning lot lines*, except that where subdivision is authorized in accordance with the provisions of Section 78-51 (General Provisions), the Commission, in authorizing such distribution may allow reductions in the minimum required *open space* on individual *zoning lots* only where adequate provision is made for common *open space* to serve such lots.
- (c) For *zoning lots* adequately served by common *open space*, authorize the minimum required *lot area* as set forth in Section 23-32 (Minimum Lot Area or Lot Width for Residences) to be reduced, provided that any *residence* for which the minimum required *lot area* is so reduced shall be separated from all other *buildings* on the same or adjacent *zoning lots* by a distance consistent with the provisions of Section 23-71 (Minimum Distance between Buildings on a Single Zoning Lot), or in cases where at least one of the *buildings* is a *one-family* or *two-family detached* or *semi-detached house*, row house, or series of row houses, by a lesser distance to be determined by the Commission.
- (d) Authorize the location of buildings without regard for *yard* regulations which would otherwise apply along portions of *streets* or *lot lines* wholly within the *development* provided that any *building* for which required *rear* or *side yards* are reduced shall be separated from all other buildings with which it does not share a party wall, on the same or adjacent *zoning lots*, by a distance consistent with the provisions of Section 23-71 (Minimum Distance between Buildings on a Single Zoning Lot) or, in cases where at least one of the *buildings* is a *single family* or *two-family detached* or *semi-detached house*, row house or series of row houses, by a lesser

*As amended and effective as of December 19, 1968.

distance to be determined by the Commission, where the location of the *buildings* will not be detrimental to the privacy of the occupants of the *buildings* on the *block*.

(e) Authorize the location of *buildings* without regard for the height and setback regulations which would otherwise apply along portions of *streets* wholly within the *development* or along *side* or *rear lot lines* abutting other *zoning lots* within the *development*, provided that any *building* for which required rear or side setbacks are reduced shall be separated from all other *buildings* with which it does not share a party wall, on the same or adjacent *zoning lots*, by a distance consistent with the provisions of Section 23-71 (Minimum Distance between Buildings on a Single Zoning Lot).

(f) Authorize the location of primary business entrances, *show windows*, or signs along frontages which are adjacent only to other *zoning lots* within the *development*, without regard to restrictions applicable near *Residence District* boundaries, for the purpose of achieving better site planning and community planning.

(g) Authorize the location of *buildings* on a single *zoning lot* without regard for spacing between *buildings* regulations provided that the resultant spacing will not be reduced beyond an amount considered appropriate by the Commission and in no case by more than 15 percent of that required by Section 23-71 (Minimum Distance Between Buildings On A Single Zoning Lot).

In the case of a *large-scale residential development* with an area of 40 acres or more, for that portion of the *development* which is located within an R5 District, the Commission may authorize the permitted *floor area ratio*, required *open space ratio*, and required *lot area per room* to be determined on the basis of a *height factor* which is less than the actual *height factor* of such portion of the *development*.

Where subdivision is authorized in accordance with the provisions of Section 78-51 (General Provisions) and satisfactory provision is made for common *open space*, the Commission may consider such common *open space* in determining to what extent, if any, modifications of the *yard* regulations are justified.

78-312*

Special permit authorizations

For any *large-scale residential development*, the City Planning Commission may, by special permit after public notice and hearing and subject to Board of Estimate action:

(a) Authorize the total *floor area*, *dwelling units*, *rooms*, or *rooming units* permitted by the applicable district regulations or by Section 78-32 (Bonus for Good Site Plan) or Section 78-33 (Bonus for Common Open Space) for all *zoning lots* within the *development* to be distributed without regard for *zoning lot lines*.

*As amended and effective as of December 19, 1968.

(b) Authorize the total *open space* required by the applicable district regulations or by Section 78-32 (Bonus for Good Site Plan) or Section 78-33 (Bonus for Common Open Space) for all *zoning lots* within the *development* to be distributed without regard for *zoning lot lines*, except that where subdivision is authorized in accordance with the provisions of Section 78-51 (General Provisions), the Commission, in authorizing such distribution, may allow reductions in the minimum required *open space* on individual *zoning lots* only where adequate provision is made for common *open space* to serve such lots.

(c) Authorize minor variations in required *front* or *rear yards* on the periphery of such *development* for the purpose of introducing variety or preserving natural features.

(d) Authorize minor variations in the front height and setback regulations on the periphery of such *development* for the purpose of introducing variety, preserving natural features, or providing for improved access of light and air, but within the general purpose and intent of the height and setback regulations.

(e) Authorize variations in the location of primary business entrances, *show windows*, and *signs* along frontages adjacent to *zoning lots* outside the *development*, without regard to restrictions applicable near *Residence District* boundaries for the purpose of achieving better site planning and community planning. However, in no event shall the Commission allow such primary business entrances, *show windows* or *signs* to be located within 10 feet of the *Residence District* boundary.

(f) Authorize modifications of the minimum spacing requirements consistent with the intent of the provisions of Section 23-71 (Minimum Distance between Buildings on a Single Zoning Lot) and authorize modifications of the spacing required by subsections (c), (d), (e) and (g) of Section 78-311 (Authorizations by the Planning Commission).

78-313

Findings

As a condition precedent to the granting of authorizations under the provisions of Section 78-311 (Authorizations by the Planning Commission) or Section 78-312 (Special permit authorizations), the Commission shall make the following findings:

(a) That such authorizations will aid in achieving the general purposes and intent of this Chapter as set forth in Section 78-01 (General Purposes).

(b) That authorized distribution of *floor area*, *dwelling units*, *rooms*, *rooming units*, *open spaces*, locations of *buildings*, or location of primary business entrances, *show windows* or *signs* will permit better site planning and will thus benefit both the residents of the *development* and the City as a whole.

(c) That such distribution or location will not un-

duly increase the *bulk* of *buildings*, density of population, or intensity of *use* in any *block*, to the detriment of the occupants of *buildings* in the *block* or nearby *blocks*.

(d) That such distribution or location will not affect adversely any other *zoning lots* outside the *development*, by restricting access to light and air or by creating traffic congestion.

(e) Where portions of the total required *open space* are pooled in common *open space* areas or common parking areas, that such common areas will, by location, size, shape and other physical characteristics, and by their relationship to surrounding development and the circulation system, permit realization of the full community service advantages for which such pooled areas are designed.

(f) Where one or more *zoning lots* in the *development* do not abut mapped *streets*, that suitable private access to mapped *streets* will be provided conforming to standards which will insure adequate circulation and make adequate provision for public services.

78-32

Bonus for Good Site Plan

In R1-2, R2, R3, or R4 Districts, for any *large-scale residential development*, the Commission, by special permit after public notice and hearing and subject to Board of Estimate action, may authorize the *open space ratio* otherwise required for the *development* as a whole and for individual *zoning lots* therein to be reduced by not more than 10 percent and the required *lot area per room* or *lot area per dwelling unit* by not more than 5 percent, and may authorize the permitted *floor area ratio* to be increased by not more than 7.5 percent, if the Commission finds that throughout the *development* the site plan provides a significantly better arrangement of the *buildings* in relation to one another and to their sites from the standpoints of privacy, access of light, organization of private *open spaces*, and preservation of important natural features than would be possible or practical for a *development* comprised of similar types built in strict compliance with the applicable district regulations.

78-33

Bonus for Common Open Space

In R3 or R4 Districts, for any *large-scale residential development*, the Commission, by special permit after public notice and hearing and subject to Board of Estimate action, may authorize the *open space ratio* otherwise required for such *development* as a whole to be reduced by not more than 20 percent and the required *lot area per room* or *lot area per dwelling unit* by not more than 10 percent, and may authorize the permitted *floor area ratio* to be increased by not more than 15 percent, provided that:

(a) At least one acre or 20 percent of the total *open space*, whichever is more, is provided in common areas meeting the requirements of Section 78-52

(Common Open Space) and not used for off-street parking.

(b) The *development* qualifies for a bonus in accordance with the provisions of Section 78-32 (Bonus for Good Site Plan).

(c) The Commission makes the findings required in Section 78-32 (Bonus for Good Site Plan) and in paragraph (e) of Section 78-313 (Findings).

Such authorizations shall be instead of, rather than in addition to, those which would be allowable under the provisions of Section 78-32 (Bonus for Good Site Plan).

78-40 OFF-STREET PARKING REGULATIONS

78-41

Location of Accessory Parking Spaces

When a *large-scale residential development* includes or will include after subdivision two or more *zoning lots*, the City Planning Commission may, upon application, authorize permitted or required *accessory* off-street parking spaces to be located anywhere within the *development* without regard for *zoning lot lines*, provided that in each case the Commission shall make the following special findings:

(a) That such off-street parking spaces will be conveniently located in relation to the *use* or *uses* to which such spaces are *accessory*.

(b) That such location of the off-street parking spaces will permit better site planning and will thus benefit both the owners, occupants, employees, customers, residents, or visitors of the *development* and the City as a whole.

(c) That such location of the off-street parking spaces will not increase the number of spaces in any single *block* or the traffic drawn through any one or more of the nearby local *streets* in such measure as to affect adversely other *zoning lots* outside the *development* or traffic conditions in the surrounding area.

Whenever required off-street parking spaces are authorized to be located without regard for *zoning lot lines* in accordance with the provisions of this Section, the number of spaces required for each *building* or *use* shall be kept available for such *building* or *use* throughout its life. Whenever any *zoning lot* within such a *large-scale residential development* is subdivided into two or more *zoning lots*, such subdivision shall be subject to the provisions of Section 78-51 (General Provisions).

78-42

Parking Regulations for Community Facility Uses

For *large-scale residential developments* in R6, R7, R8, R9, or R10 Districts, or in *Commercial Districts* in which *residential buildings* are governed by the *bulk* regulations of R6, R7, R8, R9, or R10 Districts, the City Planning Commission may, by special permit after public notice and hearing and subject to Board of Estimate action, waive the requirements for off-street parking spaces ac-

cessory to any *community facility use* included in such *large-scale residential development* and intended primarily for the use of its residents.

78-50 SUBDIVISION OF LARGE-SCALE RESIDENTIAL DEVELOPMENTS

78-51

General Provisions

A *large-scale residential development* may be subdivided before, during, or after development into two or more *zoning lots*, which may be in different ownerships, provided that either:

- (a) All resulting *zoning lots* and all *buildings* thereon comply with all the applicable regulations of this resolution, or
- (b) Such subdivision conforms to a subdivision plan which was included as part of the application for authorizations or special permit under the provisions of this Chapter and whose execution has been authorized in the grant of such authorizations or special permit, or
- (c) Such subdivision is made necessary by forced sale or foreclosure of a portion of such *development*, but can be accommodated to any authorization or special permit granted pursuant to the provisions of this Chapter.

All *zoning lots* resulting from such subdivisions shall be subject to all the applicable regulations of this resolution or, in the case of a *large-scale residential development* for which any modifications were granted in accordance with the provisions of this Chapter, shall be subject to the terms, conditions, and limitations of the *large-scale residential development* plan as approved.

In any subdivision of a *large-scale residential development* for which such modifications were granted, covenants running with the land which shall permit of public or private enforcement, reflecting the terms, conditions, and limitations of the *large-scale residential development* plan as approved, shall be incorporated in the deed to each parcel conveyed.

Such subdivision may result in commonly or separately owned common *open space* or common parking areas, as set forth in Section 78-52 (Common Open Space) or Section 78-53 (Common Parking Areas).

78-52

Common Open Space

An area designated on the site development plan of a *large-scale residential development* as "common *open space*" and on the subdivision plan as an area to be held in separate ownership for the use and benefit of residents occupying specified *zoning lots* shown on such subdivision plan may be approved as part of such subdivision plan, provided that it meets the following requirements:

- (a) It shall be conveniently accessible to all residents of *zoning lots* for which it is intended to satisfy the *open space* requirements.
- (b) It shall be made available in its improved state

as set forth on the site development plan in accordance with an approved time schedule.

(c) It shall be maintained in accordance with an approved maintenance plan specifying what such maintenance shall consist of, whose responsibility it shall be, and assuring satisfactory execution of maintenance.

(d) Provisions to insure its continuing availability shall be included in the covenants to be incorporated in the deed to each parcel to be served by such common *open space*.

(e) It shall be entirely at natural grade level or at the principal level of pedestrian circulation in adjacent areas.

(f) It may contain only such obstructions as are specifically permitted under the provisions of Section 23-12 (Permitted Obstructions in Open Space) or minor *accessory* structures, and the total area occupied by driveways, private streets, or open *accessory* off-street parking spaces in all areas claimed as common or private *open space* throughout the *development* shall not exceed 50 percent of the total required *open space* for the *development*.

The approval of a subdivision plan which includes common *open space* shall be conditioned upon a finding that these requirements are met.

78-53

Common Parking Areas

An area designated on the site development plan of a *large-scale residential development* as "common off-street parking area" and on the subdivision plan as an area to be held in separate ownership for use by the occupants or visitors of specified *zoning lots* shown on such subdivision plan may be approved as part of such subdivision plan, provided that it shall meet the following requirements:

(a) It shall be made available in its improved state as set forth in the site development plan in accordance with an approved time schedule.

(b) It shall be maintained in accordance with an approved maintenance plan specifying what such maintenance shall consist of, whose responsibility it shall be, and assuring satisfactory execution of maintenance.

(c) Provisions to insure its continuing availability shall be included in the covenants to be incorporated in the deed to each parcel to be served by such common off-street parking area.

The approval of a subdivision plan which includes common off-street parking areas shall be conditioned upon a finding that these requirements are met.

